

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

VOLKSWAGEN GROUP OF AMERICA, INC.  
(Employer),

and

Case No. 10-RM-121704

INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE &  
AGRICULTURAL IMPLEMENT  
WORKERS OF AMERICA (UAW)  
(Union),

And

MICHAEL BURTON *et alia*,  
(Employee-Intervenors).

**MOTION TO CONTINUE OR EXTEND HEARING DATE  
FOR APPEARANCE OF TENNESSEE STATE OFFICIALS**

Pursuant to Sections 102.64(b), 102.66(c) and 102.67 of the Rules and Regulations of the National Labor Relations Board, Tennessee Governor Bill Haslam, Economic and Community Development Commissioner Bill Hagerty, Chief of Staff to Commissioner Hagerty Will Alexander, Senate Speaker Pro Tempore Bo Watson, Tres Wittum, Executive Assistant to the Senate Speaker Pro Tempore, State Senator Todd Gardenhire, Speaker of the House Beth Harwell, State Representative and Majority Leader Gerald McCormick, State Representative Mike Carter and State Representative Richard Floyd (hereinafter “Petitioners”), move to continue the hearing date now scheduled for 9:00 a.m. on Monday, April 21, 2014, or to extend the date on which any of the individual Petitioners is directed to appear and testify and/ or produce documents pursuant to subpoenas requested on behalf of the International Union, United

Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) and served on each of the individual Petitioners on or about April 11, 2014.

A Petition to Revoke the subpoenas has been filed with the Regional Director of Region 10 contemporaneously with this Motion on behalf of the Petitioners. Further, the subpoenas were served at the earliest on April 10 and 11, 2014. With the intervening weekend on April 12 and 13, Good Friday, and the week end of April 19 and 20, only four working days intervened between the service of several of the Subpoenas and date set for appearance. Because of the extensive nature of the documentary evidence which the subpoenas seek, the positions of the Petitioners as high ranking officials of the State of Tennessee, and for other reasons set forth in the Petition to Revoke, it will impose an undue hardship on the Petitioners and on the State of Tennessee's government operations for these individuals to appear on Monday, April 21 or for them to obtain and produce any responsive documents by that date.

The individual Petitioners submit that a ruling should be made by the Administrative Law Judge who has been designated to preside over the hearing in this matter on the Petition to Revoke before any of the Petitioners is required to appear for testimony and/or to produce any documents.

Dated this 17<sup>th</sup> day of April, 2014.

Respectfully submitted,

ROBERT E. COOPER, JR.  
ATTORNEY GENERAL AND REPORTER

/s/ Leslie Ann Bridges (by permission)  
LESLIE ANN BRIDGES (#11419),  
Senior Counsel  
Civil Litigation and State Services Division  
P.O. Box 20207  
Nashville, TN 37202  
(615) 741-4710  
[leslie.bridges@ag.tn.gov](mailto:leslie.bridges@ag.tn.gov)

BASS, BERRY & SIMS, PLC

/s/ William N. Ozier  
WILLIAM N. OZIER (#3409)  
TIM K. GARRETT (#12083)  
150 Third Avenue South, Suite 2800  
Nashville, Tennessee 37201  
(615) 742-6200  
[bozier@bassberry.com](mailto:bozier@bassberry.com)  
[tgarett@bassberry.com](mailto:tgarett@bassberry.com)

### **CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing Petition to Revoke Subpoenas were served on this 17<sup>th</sup> day of April, 2014, on the following via electronic mail and U.S. Mail:

Claude T. Harrell, Jr.  
Regional Director  
National Labor Relations Board, Region 10  
233 Peachtree St. NE, Harris Tower Suite 1000  
Atlanta GA 30303-1504

Michael Nicholson, Esq.  
International UAW  
800 East Jefferson Ave.  
Detroit, MI 48214  
[Mnicholson@uaw.net](mailto:Mnicholson@uaw.net)

Michael Schoenfeld, Esq.  
Stanford Fagan, LLC  
191 Peachtree St., NE, Suite 4200  
Atlanta, GA 30303  
[MichaelS@sfglawyers.com](mailto:MichaelS@sfglawyers.com)

Steven M. Swirsky, Esq.  
Epstein, Becker & Green  
250 Park Ave.  
New York, NY 10177  
[sswirsky@ebglaw.com](mailto:sswirsky@ebglaw.com)

Maury Nicely, Esq.  
Phillip B. Byrum, Esq.  
Evans Harrison Hackett PLLC  
835 Georgia Ave., Suite 800  
Chattanooga TN 37402  
[mnicely@ehhlaw.com](mailto:mnicely@ehhlaw.com)  
[pbyrum@ehhlaw.com](mailto:pbyrum@ehhlaw.com)

Roger W. Dickson, Esq.  
Miller & Martin PLLC  
Volunteer Building Suite 1000  
832 Georgia Avenue  
Chattanooga, TN 37402-2289

/s/ William N. Ozier